

**IN THE UNITED DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

<b>TIMOTHY L. KING,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION FILE NO.</b>
	)	<b>1:23-CV-00095-JCF</b>
<b>TRUIST BANK,</b>	)	
	)	
<b>Defendant.</b>	)	

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**DECLARATION OF TIMOTHY L. KING**

COMES NOW, Timothy L. King, and pursuant to 28 U.S.C. § 1746, declares the following:

1. My name is Timothy L. King. I am over the age of majority. I am under no legal disability, and I am fully competent to make this Declaration. I give this Declaration based on my own personal knowledge. I give this Declaration in support of Plaintiff's Response to Defendant Truist Bank's ("the Bank") Motion for Summary Judgment, Plaintiff's Response to the Bank's Statement of Material Facts, Plaintiff's Motion to Withdraw Admissions, and for all other purposes allowed by law.
2. In or around February 2022, I received correspondence that my line of credit account ("LOC") with Suntrust Bank had been transferred to Truist (the "2/2022 Transfer Letter"). A true and accurate copy of the 2/2022 Transfer Letter, with account information redacted, is attached hereto as **Exhibit 1** and incorporated herein by reference.

3. The Bank failed to transfer all the payments on the old account to the new account with the Bank. I filed a dispute with the Bank regarding the same (Dispute No. 3296220637).
4. I continued to experience problems with the Bank as time went on. For instance, during the period alleged in the Complaint, I believe that the Bank misapplied payments and committed other errors relating to my LOC which resulted in damage to me.
5. Specifically, on or around April 29, 2022, the Bank notified me that it had suspended my ability to obtain any additional advances on my LOC (the "4/29/22 Suspension Letter"). The reason specified by the correspondence was "Delinquency on this account." A true and accurate copy of the 4/29/22 Suspension Letter is attached hereto as **Exhibit 2** and incorporated herein by reference.
6. As a result of this action by the Bank, I was unable to access my available credit for purchases. Upon information and belief, the allegations contained in the 4/29/22 Suspension Letter were untrue.
7. I continued to receive correspondence from the Bank that alleged delinquency on my part, although I believed them to be in error. For example, I received correspondence from the Bank dated May 24, 2022, alleging that my LOC account was two payments past due and that I owed \$401.48 (the "5/24/22 Delinquency Letter"). The 5/24/22 Delinquency Letter further indicated that the alleged late payments could have a negative impact on my credit. A true and accurate copy of the 5/24/22 Delinquency Letter is attached hereto as **Exhibit 3** and incorporated herein by reference.
8. The Bank confirmed my beliefs and concerns that it has committed errors related to my LOC account at least twice in correspondence admitting and apologizing for errors related to my LOC account and reflecting corrective



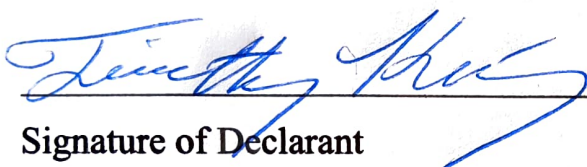
actions the Bank was forced to take to correct their mistakes (the “Error Acknowledgment Letters”). True and accurate copies of the Error Acknowledgment Letters are attached hereto as **Exhibit 4** and incorporated herein by reference.

9. The Bank’s apology and corrective actions proved too late, however. As a result of the Bank’s errors and their subsequent inaccuracies reported to various Credit Reporting Agencies (“CRAs”), my credit score plummeted. I obtained a copy of a graph from CRA Experian on or around June 15, 2022 (after the inaccuracies were reported to them) showing my credit score, including a sharp decline around the time of the delinquencies alleged by the Bank. A true and correct copy of a graph I obtained from Experian is attached hereto as **Exhibit 5** and incorporated herein by reference.
10. I was denied credit by Travis Credit Union via correspondence dated May 27, 2022 (“Credit Denial Letter 1”). A true and accurate copy Credit Denial Letter 1 is attached hereto as **Exhibit 6** and incorporated herein by reference. Page 2 of the Credit Denial Letter indicates that my credit score had fallen to 586.
11. My company L&J Endeavors, Inc. was denied credit because of the credit history of its personal guarantor (who was me) by Synchrony Bank (Lowes-GA) via correspondence dated June 5, 2022 (“Credit Denial Letter 2”). A true and accurate copy Credit Denial Letter 1 is attached hereto as **Exhibit 7** and incorporated herein by reference.
12. I notified the CRAs that I disputed the information reported by the Bank.
13. On or around September 1, 2022, I was notified by Transunion that it had taken corrective action on my account pursuant to my dispute (the “9/1/2022 Transunion Correspondence”). Specifically, they adjusted my rating and the maximum delinquency showing for my LOC with the Bank. The revised report reflects the “Pay Status” as “Current; Paid or Paying as Agreed” and

indicates "OK" for payments ranging from 11/2021 through 06/2022. True and accurate copies of the relevant pages of the correspondence are attached hereto as **Exhibit 8** and incorporated herein by reference.

14. In addition to damage to my creditworthiness, the impact of the Bank's errors and insufficient investigation on my financial situation caused me to experience stress, anxiety, sleeplessness, feelings of humiliation, and bouts of depression as a result of the errors the Bank committed.

I declare under penalty of perjury that the foregoing is true and correct.

  
Signature of Declarant

11/07/2023  
Date of Declaration

Timothy King  
Printed Name of Declarant

  
**VINCENT U. FORBES J.P.**  
Ocho Rios, St. Ann  
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# 200829

11/7/2023